

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARCUS ABBE

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.

CASE NO. C05-5384RBL

ORDER ADOPTING REPORT
AND RECOMMENDATION
AND DENYING MOTION TO
STAY

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge J. KELLEY ARNOLD, United States Magistrate Judge, as well as the underlying record, does hereby find and ORDER:

- (1) The Court ADOPTS the Report and Recommendation [Dkt. #14];
- (2) The Defendant's Motion to Dismiss [Dkt #11] is GRANTED; and
- (3) The Plaintiff's Motion to Stay [Dkt. #15] is DENIED.
- (4) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge J. Kelley Arnold.

DATED this 23rd day of February, 2006.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE